

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 10/8/2015

Action Requested By:
Planning

Agenda Item Type
Resolution

Subject Matter:

Zoning Ordinance Amendment.

Exact Wording for the Agenda:

Resolution to set a public hearing of an ordinance to amend ARTICLE 10 - RESIDENCE 1 DISTRICT REGULATIONS, Section 10.7 - Conditions on Uses; ARTICLE 11 - RESIDENCE 1-A DISTRICT REGULATIONS, Section 11.6 - Conditions on Uses; ARTICLE 12 - RESIDENCE 1-B DISTRICT REGULATIONS, Section 12.6 - Conditions on Uses ; ARTICLE 13 - RESIDENCE 2 DISTRICT REGULATIONS, Section 13.6 - Conditions on Uses; ARTICLE 14 - RESIDENCE 2-A DISTRICT REGULATIONS, Section 14.6 - Conditions on Uses; ARTICLE 15 - RESIDENCE 2-B DISTRICT REGULATIONS, Section 15.7 - Conditions on Uses; ARTICLE 16 - RESIDENCE 1-C DISTRICT REGULATIONS, Section 16.5 - Conditions on Uses; ARTICLE 17 - RESIDENCE 2-C DISTRICT REGULATIONS, Section 17.3 - Conditions on Uses; ARTICLE 20 - NEIGHBORHOOD BUSINESS C-1 DISTRICT REGULATIONS, Section 20.1 - Uses Permitted, subsection 20.1.6 - Conditions on Uses; ARTICLE 22 - NEIGHBORHOOD BUSINESS C-2 DISTRICT REGULATIONS, Section 22.5 - Conditions on Uses; ARTICLE 80 - RESIDENTIAL OFFICE DISTRICT

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

Recommended by Planning Commission.
Public Hearing Date: November 19, 2015

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: _____

Date: 9/23/2015

RESOLUTION NO. 15-_____

WHEREAS, the Planning Commission of the City of Huntsville, Alabama, has given consideration to an amendment to the Zoning Ordinance, a synopsis of said amendment being as follows:

- (1) Amends ARTICLE 10 - RESIDENCE 1 DISTRICT REGULATIONS, Section 10.7 - Conditions on Uses; ARTICLE 11 - RESIDENCE 1-A DISTRICT REGULATIONS, Section 11.6 - Conditions on Uses; ARTICLE 12 - RESIDENCE 1-B DISTRICT REGULATIONS, Section 12.6 - Conditions on Uses ; ARTICLE 13 - RESIDENCE 2 DISTRICT REGULATIONS, Section 13.6 - Conditions on Uses; ARTICLE 14 - RESIDENCE 2-A DISTRICT REGULATIONS, Section 14.6 - Conditions on Uses; ARTICLE 15 - RESIDENCE 2-B DISTRICT REGULATIONS, Section 15.7 - Conditions on Uses; ARTICLE 16 - RESIDENCE 1-C DISTRICT REGULATIONS, Section 16.5 - Conditions on Uses; ARTICLE 17 - RESIDENCE 2-C DISTRICT REGULATIONS, Section 17.3 - Conditions on Uses; ARTICLE 20 - NEIGHBORHOOD BUSINESS C-1 DISTRICT REGULATIONS, Section 20.1 - Uses Permitted, subsection 20.1.6 - Conditions on Uses ; ARTICLE 22 - NEIGHBORHOOD BUSINESS C-2 DISTRICT REGULATIONS, Section 22.5 - Conditions on Uses; ARTICLE 80 - RESIDENTIAL OFFICE DISTRICT REGULATIONS, Section 80.9 - Conditions on Uses; AND ARTICLE 81 - OFFICE DISTRICT REGULATIONS, Section 81.7 - Conditions on Uses and amends Article 92 - BOARD OF ADJUSTMENT, Section 92.5 - Powers and Duties, subsection 92.5.3 - Permitted Uses as Special Exceptions, by adding new subsection 92.5.3(39), to modify existing building materials.
- (2) The first publication of this resolution, this synopsis, and the ordinance hereinafter set out at length shall be in the Huntsville Times on the ____ day of ____, 2015, and the second publication shall be one week thereafter on the ____ day of ____, 2015, both of which publications shall be at least 15 days in advance of the date of the public hearing hereinafter referred to.

WHEREAS, it is the judgment and opinion of the City Council of the City of Huntsville, Alabama, that consideration should be given to the adoption of said amendment to the Zoning Ordinance of the City of Huntsville, Alabama;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, as follows:

That the City Council of the City of Huntsville, Alabama, shall meet at 6:00 p.m. on the ____ day of ____, 2015, in the Council Chambers of the City of Huntsville Administration Building at 308 Fountain Circle in the City of Huntsville, Alabama, for the purpose of holding a public hearing, at which time and place all persons, parties in interest and cities who

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AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE
CITY OF HUNTSVILLE, ALABAMA

The public welfare requiring it, and under authority granted by Section 11-52-78 of the 1975 Code of Alabama, **BE IT ORDAINED** by the City Council for the City of Huntsville, Alabama, that the Zoning Ordinance of the City of Huntsville, Alabama, as adopted on the 21st day of March 1963, as amended, is hereby further amended as follows:

Section 1. Amend ARTICLE 10 - RESIDENCE 1 DISTRICT REGULATIONS, by amending Section 10.7 - Conditions on Uses:

10.7 - Conditions on Uses

The use of aluminum, steel or other metal siding or cladding as an exterior building finish on newly constructed non-residential buildings and structures, and on newly constructed accessory structures with a building footprint in excess of one thousand (1000) square feet, is prohibited. This requirement shall not include window framework, doors, roofs and walkway covers.

to read as follows:

No primary or accessory non-residential building or structure with a footprint in excess of one thousand (1000) square feet, shall be allowed to use aluminum, steel, or other metal siding or cladding as an exterior finish, except as a special exception in accordance with Section 92.5.3(39). This requirement shall not include window framework, doors, roofs and walkway covers.

Section 2. Amend ARTICLE 11 - RESIDENCE 1-A DISTRICT REGULATIONS, by amending Section 11.6 - Conditions on Uses:

11.6 - Conditions on Uses

The use of aluminum, steel or other metal siding or cladding as an exterior building finish on newly constructed non-residential buildings and structures, and on newly constructed accessory structures with a building footprint in excess of one thousand (1000) square feet, is prohibited. This requirement shall not include window framework, doors, roofs and walkway covers.

to read as follows:

No primary or accessory non-residential building or structure with a footprint in excess of one thousand (1000)

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square feet, shall be allowed to use aluminum, steel, or other metal siding or cladding as an exterior finish, except as a special exception in accordance with Section 92.5.3(39). This requirement shall not include window framework, doors, roofs and walkway covers.

Section 3. Amend ARTICLE 12 - RESIDENCE 1-B DISTRICT REGULATIONS, by amending Section 12.6 - Conditions on Uses:

12.6 - Conditions on Uses

The use of aluminum, steel or other metal siding or cladding as an exterior building finish on newly constructed non- residential buildings and structures, and on newly constructed accessory structures with a building footprint in excess of one thousand (1000) square feet, is prohibited. This requirement shall not include window framework, doors, roofs and walkway covers.

to read as follows:

No primary or accessory non-residential building or structure with a footprint in excess of one thousand (1000) square feet, shall be allowed to use aluminum, steel, or other metal siding or cladding as an exterior finish, except as a special exception in accordance with Section 92.5.3(39). This requirement shall not include window framework, doors, roofs and walkway covers.

Section 4. Amend ARTICLE 13 - RESIDENCE 2 DISTRICT REGULATIONS, by amending Section 13.6 - Conditions on Uses:

13.6 - Conditions on Uses

The use of aluminum, steel or other metal siding or cladding as an exterior building finish on newly constructed non- residential buildings and structures, and on newly constructed accessory structures with a building footprint in excess of one thousand (1000) square feet, is prohibited. This requirement shall not include window framework, doors, roofs and walkway covers.

to read as follows:

No primary or accessory non-residential building or structure with a footprint in excess of one thousand (1000) square feet, shall be allowed to use aluminum, steel, or other metal siding or cladding as an exterior finish, except as a special exception in accordance with Section 92.5.3(39). This

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requirement shall not include window framework, doors, roofs and walkway covers.

Section 5. Amend ARTICLE 14 - RESIDENCE 2-A DISTRICT REGULATIONS, by amending Section 14.6 - Conditions on Uses:

14.6 - Conditions on Uses

The use of aluminum, steel or other metal siding or cladding as an exterior building finish on newly constructed non- residential buildings and structures, and on newly constructed accessory structures with a building footprint in excess of one thousand (1000) square feet, is prohibited. This requirement shall not include window framework, doors, roofs and walkway covers.

to read as follows:

No primary or accessory non-residential building or structure with a footprint in excess of one thousand (1000) square feet, shall be allowed to use aluminum, steel, or other metal siding or cladding as an exterior finish, except as a special exception in accordance with Section 92.5.3(39). This requirement shall not include window framework, doors, roofs and walkway covers.

Section 6. Amend ARTICLE 15 - RESIDENCE 2-B DISTRICT REGULATIONS, by amending Section 15.7 - Conditions on Uses:

15.7 - Conditions on Uses

The use of aluminum, steel or other metal siding or cladding as an exterior building finish on newly constructed non- residential buildings and structures, and on newly constructed accessory structures with a building footprint in excess of one thousand (1000) square feet, is prohibited. This requirement shall not include window framework, doors, roofs and walkway covers.

to read as follows:

No primary or accessory non-residential building or structure with a footprint in excess of one thousand (1000) square feet, shall be allowed to use aluminum, steel, or other metal siding or cladding as an exterior finish, except as a special exception in accordance with Section 92.5.3(39). This requirement shall not include window framework, doors, roofs and walkway covers.

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Section 7. Amend ARTICLE 16 - RESIDENCE 1-C DISTRICT REGULATIONS, by amending Section 16.5 - Conditions on Uses:

16.5 - Conditions on Uses

The use of aluminum, steel or other metal siding or cladding as an exterior building finish on newly constructed non- residential buildings and structures, and on newly constructed accessory structures with a building footprint in excess of one thousand (1000) square feet, is prohibited. This requirement shall not include window framework, doors, roofs and walkway covers.

to read as follows:

No primary or accessory non-residential building or structure with a footprint in excess of one thousand (1000) square feet, shall be allowed to use aluminum, steel, or other metal siding or cladding as an exterior finish, except as a special exception in accordance with Section 92.5.3(39). This requirement shall not include window framework, doors, roofs and walkway covers.

Section 8. Amend ARTICLE 17 - RESIDENCE 2-C DISTRICT REGULATIONS, by amending Section 17.3 - Conditions on Uses:

17.3 - Conditions on Uses

The use of aluminum, steel or other metal siding or cladding as an exterior building finish on newly constructed non-residential buildings and structures, and on newly constructed accessory structures with a building footprint in excess of one thousand (1000) square feet, is prohibited. This requirement shall not include window framework, doors, roofs and walkway covers.

to read as follows:

No primary or accessory non-residential building or structure with a footprint in excess of one thousand (1000) square feet, shall be allowed to use aluminum, steel, or other metal siding or cladding as an exterior finish, except as a special exception in accordance with Section 92.5.3(39). This requirement shall not include window framework, doors, roofs and walkway covers.

Section 9. Amend ARTICLE 20 - NEIGHBORHOOD BUSINESS C-1 DISTRICT REGULATIONS, by amending Section 20.1 - Uses Permitted by amending subsection 20.1.3 - Conditions on Uses by amending subsection 20.1.3(6):

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20.1.3(6) The use of aluminum, steel or other metal siding or cladding as an exterior building finish on newly constructed non-residential buildings and structures is prohibited. This requirement shall not include window framework, doors, roofs and walkway covers.

to read as follows:

No primary or accessory non-residential building or structure with a footprint in excess of one thousand (1000) square feet, shall be allowed to use aluminum, steel, or other metal siding or cladding as an exterior finish, except as a special exception in accordance with Section 92.5.3(39). This requirement shall not include window framework, doors, roofs and walkway covers.

Section 10. Amend ARTICLE 22 - NEIGHBORHOOD BUSINESS C-2 DISTRICT REGULATIONS, by amending Section 22.5 - Conditions on Uses:

22.5 - Conditions on Uses

The use of aluminum, steel or other metal siding or cladding as an exterior building finish on newly constructed non-residential buildings and structures is prohibited. This requirement shall not include window framework, doors, roofs and walkway covers.

to read as follows:

No primary or accessory non-residential building or structure with a footprint in excess of one thousand (1000) square feet, shall be allowed to use aluminum, steel, or other metal siding or cladding as an exterior finish, except as a special exception in accordance with Section 92.5.3(39). This requirement shall not include window framework, doors, roofs and walkway covers.

Section 11. Amend ARTICLE 80 - RESIDENTIAL OFFICE DISTRICT REGULATIONS, by amending Section 80.9 - Conditions on Uses:

80.9 - Conditions on Uses

The use of aluminum, steel or other metal siding or cladding as an exterior building finish on newly constructed non-residential buildings and structures, and on newly constructed accessory structures with a building footprint in excess of one thousand (1000) square feet, is prohibited. This requirement shall not include window framework, doors, roofs and walkway covers.

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to read as follows:

No primary or accessory non-residential building or structure with a footprint in excess of one thousand (1000) square feet, shall be allowed to use aluminum, steel, or other metal siding or cladding as an exterior finish, except as a special exception in accordance with Section 92.5.3(39). This requirement shall not include window framework, doors, roofs and walkway covers.

Section 12. Amend ARTICLE 81 - OFFICE DISTRICT REGULATIONS, by amending Section 81.7 - Conditions on Uses:

81.7 - Conditions on Uses

The use of aluminum, steel or other metal siding or cladding as an exterior building finish on newly constructed non- residential buildings and structures is prohibited. This requirement shall not include window framework, doors, roofs and walkway covers.

to read as follows:

No primary or accessory non-residential building or structure with a footprint in excess of one thousand (1000) square feet, shall be allowed to use aluminum, steel, or other metal siding or cladding as an exterior finish, except as a special exception in accordance with Section 92.5.3(39). This requirement shall not include window framework, doors, roofs and walkway covers.

Section 13. Amend ARTICLE 92 - BOARD OF ADJUSTMENT, Section 92.5 - Powers and Duties, subsection 92.5.3 - Permitted Uses as Special Exceptions, by adding new subsection 92.5.3(39) to read as follows:

92.5.3(39) Metal siding as an exterior building finish provided the following conditions are met in addition to any other conditions that may be imposed by the Board of Adjustment:

- (a) Exterior building finish must be constructed with an architectural composite metal panel or similar architectural composite panel.
- (B) Pre-finished metal siding, steel siding, ribbed or corrugated metal siding materials are not permitted exterior building finishes.
- (C) Exposed fasteners are not permitted.

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Section 14. This ordinance shall take effect from and after the date of its publication.

ADOPTED this the _____ day of _____, 2015.

President or President Pro Tem
of the City Council of the City
of Huntsville, Alabama.

APPROVED this the _____ day of _____, 2015.

Mayor of the City of Huntsville,
Alabama

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desire, shall have an opportunity to be heard in opposition to or in favor of said ordinance amending the Zoning Ordinance of the City of Huntsville, Alabama.

That the proposed amendment to the Zoning Ordinance of the City of Huntsville, Alabama, is substantially in words and figures as follows:

ADOPTED this the _____ day of _____, 2015.

President or President Pro Tem of
the City Council of the City of
Huntsville, Alabama.

APPROVED this the _____ day of _____, 2015.

Mayor of the City of Huntsville,
Alabama